

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

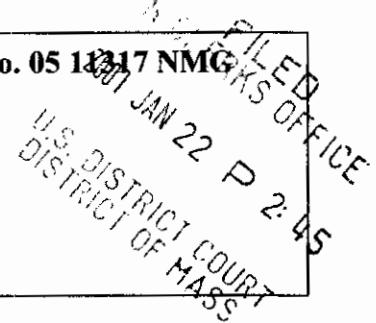
Bienvenido I. Lugo-Merchant

Plaintiff,

v.

**Peter Tsickritzis, Kevin Kingston,
and United Liquors Limited et al.,**
Defendants

Civil Action No. 05-11317-NMG



PLAINTIFF'S OPPOSITION TO MOTION FOR A PROTECTIVE ORDER

The Plaintiff believes the Defendants' Motion should be denied in that he cooperated in numerous times and had offered "a branch of olive" to the Defendants with the intention of sharing documents and narrowing issues. Specifically, the Plaintiff believes that when this Honorable US Court ordered him to release any documents, he had to include anything he had and could use to make his case. The Plaintiff is extremely offended that opposing counsel takes out of context a report issued by the US Department of State to criticize other countries and to promote human rights and respect. It is part of the US government policy to "*discusses religious freedom issues with the Government as part of its overall policy to promote Human Rights.... Embassy and consulate general officials investigated complaints of religious discrimination brought to their attention*" - US Report on Greece 2006, page 8.

In their **Motion for a Protective Order**, the Defendants fail to see that said reports are provided by government agencies, and relate to records of public access. The Defendants forget that they even went to the USDC to ask for similar documents from the Plaintiff while claiming their information should not be shared. U.S. v. Layton, 767 F.2d 549, 18 Fed.R. Evid. Serv. 1322 (9th Cir. 1985), Gill v. Thomas, 83 F. 3d 537, 44 Fed. R. Evid. Serv. 1061 (1st Cir. 1996), Thweatt v. Ontko, 814 F. 2d 1466, Fed. R. Evid. Serv. 1319 (10th Cir. 1987)

The Plaintiff has endured their long and tedious depositions, sometimes ending close to the night with an unruly Defendant, namely Mr. Tsickritzis. The Plaintiff felt intimidated on some occasions. It is very tragical that Defendant-Kingston did not take advantage of the Plaintiff's having conferred with him on numerous times about "not

complicating things with a lawsuit" when asking for more respect and a promotion. Defendants-Kingston should not have asked the Plaintiff "*do you want to get fired so you can go and pray?*", (US 1st Amendment). The Plaintiff remembers Defendant-Kingston jokes and disrespectful attitude as a major source of embarrassment and is not interested in involuntary servitude (US 13th Amendment). On more than one occasion, workers were warned "*not to get in trouble with the (...)*" while mentioning the age and ethnicity of higher ranks executives. The Plaintiff volunteered to do extra work and correct a situation caused by other worker to spare the Defendants Tsickritzis/Kingston of trouble with their supervisors with no result.

The mentioning of a coward like Hitler is not to refer to any party, as that would be extremely disgusting and shameful. The Defendants do not deserve that and are not the reason for that. However, the US report does refer to his actions in denouncing unacceptable attitudes of certain people. It is well known that some people when moving to another country move with their ideas, and that influential people exude their mentality to others in lower ranks. The Plaintiff also wants to advise that members of his faith were slaughtered at the same rate-time-place-manner as millions of Polish, Jews, Russians and others for opposing a low class dictator who should not have been born. There is a Museum of that in Washington DC relating, in detail, how much the Plaintiff's brothers in the faith shared in every sense of the word with other victims.

On the technicalities of submitting a subpoena, the Plaintiff simply copied the same format that opposing counsel used to obtain excessive records of the Plaintiff. It is incongruous for the Defendants to deem the Plaintiff's request as "*burdensome, annoying... undue*" when they have not exhibited their best behavior while working for them nor at depositions. The Defendants knew well their actions were and are wrong and the Plaintiff only petitions the Government for a redress of grievance (1st US Amendment). The Plaintiff respects the parties and has not laughed at them nor retaliated for Defendant-Tsickritzis venomous tirades. On the timing of submitting the *duces tecum*, the Plaintiff is not an expert on this procedure and would appreciate more input from this Honorable US Court as he submitted a **Motion to Allow duces tecum**.

PLAINTIFF'S BACKGROUND, DRAWINGS AND US CONSTITUTION

Since elementary school, the Plaintiff has had a great admiration for the Greek culture-language-history and its influence on his own culture-language-background. It is outrageous to insinuate any disgust from the Plaintiff to the great and ever-present Greek influence when he usually greets Defendant-Tsickrizzo in Greek though being advised by others “*not to befriend the G...k*”. In fact, the Plaintiff usually reads a copy of the Bible, which is divided in Hebrew Scriptures and Greek Scriptures. Furthermore, the Plaintiff states that his nickname, middle name, religion’s name and God’s name are in Hebrew and that he intends to increase his knowledge of these two classic languages and cultures.

A cause of embarrassment is that the Defendant-Kingston did not heed the counsel of the Plaintiff when warned “*about tendencies that could make the company loose market if not addressed on time*” and rejecting the input of an experienced worker very proud of the company. Unfortunately, for all, the company was mentioned in the news as being bought in two posteriors dates. Another source of embarrassment is that the Defendants, though being very rich, interfere with the Plaintiff chances of moving on and finding a job all the while they denied him the “*equal protections of the laws*” by paying him less than stipulated, denying him overtime benefits, cancelling his medical coverage in retaliation and other things (14th US Amendment).

The Plaintiff believes that in his rights, as defined in the US 1st and 10th Amendment (“*powers not delegated... are reserved to the people*”), he can use public records and attach illustrations as he uses that to advance his understanding of things. The copy is intended to allow opposing counsel see how much information the Plaintiff had, how sensitive he is to others’ suffering, and to know exactly what the Plaintiff has as he was ordered to share documents. Furthermore, on opposing counsel refusing his illustrations and drawings they rudely interfere with the US 1st Amendment and being a follower of the Lord according Matthew 13:34-35 “³⁴ All these things Jesus spoke to the crowds by illustrations. Indeed, without an illustration he would not speak to them; ³⁵ that there might be fulfilled what was spoken through the prophet who said: “I will open my mouth with illustrations, I will publish things hidden since the founding.”

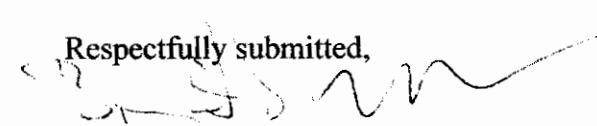
Frankly, the Plaintiff is not interested in embarrassing anyone as he consistently sought legal ways to right a wrong in petitioning the Government for a redress of grievances (1st US Amendment) and asking Defendant-Kingston, among other things, for a religious accommodation according the Civil Rights Act. Opposing counsel did seem to

be having a good time when stating, "*If necessary, we will be happy to reimburse you...*" in their subpoenas *duces tecum*, though. Whatever complain the Defendants unjustifiably have should not be aimed at the Plaintiff, the US Department of State's Reports, Human Rights, the European Commission, International Treaties, the High Court in Europe, other Human Rights entities or the US Supreme Court decisions but at themselves and their lack of vision in preventing issues at the workplace. Many times, the Plaintiff sought to avoid litigation with no result. Nothing seems to work in order to appease the Defendants.

The Plaintiff is very grateful to live under the US Constitution and intends to vigorously defend himself against domestic enemies of the US Constitution and Laws. The Plaintiff has lost a lot of credibility on opposing counsel as she was increasing her good behaviour, though occasionally pretending not to know among other things, that Puerto Rico is as part of the USA as Washington DC and other lands are.

WHEREFORE, the Plaintiff respectfully prays this Honorable US Court agrees with his **Plaintiff's Opposition to Motion for a Protective Order**. In the case of this Honorable US Court denying the Plaintiff his humble prayer of relief, he would like this Honorable US Court to:

1. order access to records this Honorable US Court deems appropriate
2. order opposing counsel to follow the order already given to submit records authored by the Plaintiff.

Respectfully submitted,

 Bienvenido I Lugo-Marchant
Pro se, in forma pauperis

CERTIFICATE OF SERVICE

I hereby certify that on Jan 2007 this document was served upon the Defendant's counsel, JACKSON LEWIS, by first class mail, postage paid.